

**Minutes of the Carlisle Board of Health
April 8, 2014**

Present: Bill Risso (Chairman), Catherine Galligan, Vallabh Sarma, Donna Margolies, Lee Storrs. Also present: Linda Fantasia, Health Agent, Ginny Lamere (Mosquito); Toby Kramer (NOAH), Mark Beaudry (Meridian Engineering)

MINUTES – It was moved (Galligan) and seconded (Storrs) to approve the minutes of 3/11/14 as amended. Motion passed 5-0-0.

BILLS – no bills

ADMINISTRATIVE REPORTS

105 CMR 432.000 “Christian’s Law” – The purpose of the regulation is to set minimum standards for requiring personal flotation devices for minor children at municipal and recreational programs or camps. The draft regulation is open for public comment. Fantasia will forward to the Recreation Commission which runs a swimming lesson program in private pools. The regulation may not apply to Carlisle’s Summer Fun Program since the children do not use the pool for recreation but only supervised swim lessons.

2014 Camp Applications – Challenger Sports is running a one week camp in August at Spalding Field. The camp operator will submit the self-certification form and application. A pre-camp meeting will be held. All medical forms, camper registrations and staff roster must be submitted one week prior to starting.

Mass Housing Hoarding Conference – Fantasia reported that there were over 500 people who attended. Hoarding is now a clinically recognized disease. The conference stressed the importance of local task forces, reaching out to individuals through motivation rather than enforcement, and training for first responders and public health. It is important for each of the disciplines to understand the role of the others. A Housing/Safety Inspection form specific to hoarding situations was distributed.

Senior Fire Safety; Fantasia, Galligan and Tobacco Grant Coordinator Terry Current attended the Council on Aging sponsored lunch. The Board had arranged to borrow the Dept. of Fire Services Hazard Kitchen which is a hands-on model to demonstrate kitchen fire hazards. Carlisle firefighters Rob Dennison and Matt Svatek talked about fire safety, the importance of smoke and carbon monoxide detectors and appropriate use of fire extinguishers. Curran and Galligan were available to answer questions about quitting smoking and the safe use of medical oxygen. Over 65 seniors attended.

Lyme Disease Subcommittee – The subcommittee is submitting a Letter to the Editor for the *Carlisle Mosquito* requesting information from residents diagnosed with a tick borne disease (TBD). They will also promote the free Tick Testing Program. Tick Testing flyers will be distributed at the April 14TH Trash Party. The Board was uncertain about the criteria used by the state for tracking TBD and whether it only tracked confirmed or suspect cases reported by labs or included clinical diagnosis from physicians in a case reporting form (CRF). This might explain why there are more known cases than what is indicated on MAVEN, the state’s electronic surveillance system. The Board agreed it would be good to have definitive criteria for the surveillance system.

NEW BUSINESS

BI-ANNUAL WELL TESTING – The Board reviewed proposals to do the bi-annual private well testing from Frontier Research, Nashoba Analytical and ETR Laboratories. Residents can choose to test for: General Chemistry, Volatile Organic Compounds (VOC’s) Radon, Gross Alpha and Coliform. Nashoba had the lowest testing cost including free sampling. ETR had lower combined cost for VOC’s, General Chemistry and Radon, but the Board agreed not as many residents do a combined test. The Board noted that Nashoba had done the testing in the past and residents were pleased with their services. Testing will be done on May 17th. The Board will pay to test six center

wells identified by DEP as having high levels of MTBE. The Board agreed to select Nashoba for the testing. The Board will help to organize the testing. Residents will pay directly to Nashoba.

GREAT BROOK FARM – DEP approved an extension to replace the failed septic system which services a nearby year round apartment available to farm help and the Ice Cream Stand which operates from May 1st to October 9th. The septic tank is being monitored daily by the Park Manager and pumped as needed. Fantasia noted that pump outs were required weekly in December and January even with the Stand closed for the winter. The Ice Cream Stand is due to open mid-April. It has not yet been inspected. The Board agreed that as long as the Stand passes its Food Establishment Inspection, it could open since Title 5 allows an interim measure for continued use of a failed system. Using the existing tank as a tight tank and pumping as needed qualifies as an interim measure. The Food Establishment Permit is conditional upon a satisfactory inspection. If the Title 5 interim measures fail, the Board will reassess the permit.

BENFIELD FARMS DEVELOPMENT – Toby Kramer (NOAH) and Mark Beaudry (Meridian Engineer) appeared before the Board.

The Temporary Certificate of Compliance for the septic system expires 4/8/14. Beaudry and Kramer have been working on the items required by the Board: addressing items #1-5 of Frado's 2/24/14 review; additional information for the Operations and Maintenance Manual (O&M); copy of the Deed Acknowledgement; labelling of the monitoring wells; signed and registered system warranties; and escrow account resolution.

Beaudry said he addressed Frado's comments on the O & M items in letter dated 4/8/14. He had also signed and certified the Final Grade As-Built just before the meeting. Other items had been submitted via email over the last week. Emergency Protocols were sent along with and a letter from Bank of America addressing the escrow account on 4/1/14. Fantasia said the documents emailed last week had been forwarded to the Board as received.

Frado noted in his review letter dated 4/8/14 that all of the final grades were in compliance. However he only received the plans in .pdf and had not received the additional materials for the O&M. His comments therefore only addressed the As-built. He cautioned the Board that it is important for materials to be submitted early in order to allow sufficient time for review and an opportunity to work with the design engineer to correct any deficiencies prior to the Board's action. Fantasia agreed that much of the material was received the day of the meeting making it difficult to prepare the meeting books. Documents received today were in the meeting books but the Board had not had a chance to preview the material. Beaudry provided two hard copies of the O & M to replace the earlier versions. The Board agreed that since it had not had a chance to carefully review the O & M materials it would not be discussed tonight. The Board will have Frado review the O&M and keep the second in the office for Fantasia and Board members to review. A CD of the manual was submitted. Fantasia noted that town computers only read DVD's.

Kramer said she had forwarded a copy of the Deed Acknowledgement. Fantasia said it did not include the recording information. Kramer will provide it. As for giving the Board access to the Septic Reserve Account, Kramer had checked with Bank of America who is an equity partner. NOAH, their attorney and the bank agreed that there was sufficient oversight without the need to give the Town independent access. The account has been fully funded. There is an experienced property manager, Peabody Properties, and there are sufficient safeguards in place for the Carlisle Housing Authority to deal with any issues of non-compliance. Fantasia had sent the bank's letter to Larry Barton for comment but he had not yet responded. Both the Finance Director (Barton) and Town Administrator (Tim Goddard) felt the town should have access, but the mechanism was unclear. Kramer asked if the town had required this before and with whom. The Board did not know.

Galligan said that she felt there were sufficient protections in place. She was confident in the managers to follow correct procedures. This may not always be the case and it may be something the Board wants to consider for future developments. Galligan did not have a problem with accepting the escrow account as currently structured. Risso had a different position, expressing concern about future ownership. Under the current structure, if the property manager does not address a problem that poses a risk to public health, such as a failed septic system, the town would need to take action using town funds. The town would then need to seek reimbursement. This could be a lengthy process. Giving the town direct access for emergency situations would alleviate this. Galligan also said that the

town is not just looking out for the Benfield Farms development, but protection of groundwater for all residents. The Board of Health is responsible for looking at the whole picture. Risso said he would like to have a meeting with the Town Administrator, Finance Director, Housing Authority and NOAH to see if they should get an opinion from town counsel. Kramer agreed to the meeting which could be combined with a general meeting with town departments being planned.

Kramer informed the Board about a recent water sample that tested positive for coliform. DEP issued a Notice of Non-Compliance on 4/4/14. Five distribution water samples collected in March showed the presence of total coliform causing the system to be out of compliance. Benfield is now required to collect five additional samples in April. Small Water Systems Services (SWSS), the Certified Well Operator, will be doing a Level I assessment in order to identify the underlying cause of the problem. Kramer notified the Board on 4/7/14 forwarding a summary email message from SWSS. Although copied on the DEP Notice, the Board had not yet received it. According to the forwarded email, the water in the distribution system has been milky in appearance possibly because of trapped air. There is a plate that covers the top of the wet well which is attached to the booster pump that may have some voids allowing contaminants into the drinking water. SWSS and the booster pump manufacturer will be on site next week to check the equipment. The system was chlorinated last Friday and the most recent tests were negative. Public Notification must be posted by 4/28/14. Kramer was confident that the problem will be corrected by that time.

Risso said that someone should have notified the Board immediately. The property manager should have separately notified the Board with either a phone call or email. Risso asked Fantasia to make sure the Board is copied on any DEP notices. The Board will receive quarterly reports on violations, but it is also important for the Board to be aware of any problems that might affect the health and welfare of the residents even if it is not related to septic or water supply.

Beaudry asked about accessing the monitoring wells during wet weather. A truck will dig up the cart path. The Board said the sampling only requires a bailing pail. The technician should be able to walk to the wells.

The Board also asked about the low level alarm for the fire cistern. Beaudry explained that the tank affected is not part of the drinking water supply or the automatic sprinkler system. The building was never in danger. There are four water storage tanks on the property. Beaudry gave a detailed explanation of the storage tank locations and uses. There is a separate system of 8000 and 40,000 gal tanks for the drinking water which are separate from the cistern tank. The Fire Department had trained at the site lowering one of the tanks to the point that the alarm was triggered.

The Board then reviewed each of its septic permit conditions for compliance. Only three items need to be addressed at this point: O&M manual, deed recording reference and resolution of the escrow account. The Board discussed extending the TCOC. It was agreed to extend the temporary permit until 5/20/14 but the Board will consider granting a full certificate should the applicant be ready before then. The Board is willing to hold a special meeting to expedite the certificate if necessary.

It was moved (Galligan) and seconded (Storrs) to extend the Temporary Certificate of Compliance for the installation of the septic system at Benfield Farms through 5/20/14 and if the work is completed sooner the Board agrees to take up the matter at its meeting of 5/8/14. Motion passed 5-0-0.

Seasonal and Annual Food Establishment Inspections

Annual inspections were conducted by Randy Phelps at the Congregational Church and St. Irene's. Semi-annual inspections were conducted at the Carlisle School and Fern's. A seasonal inspection was conducted for Kimballs Ice Cream Stand. All of the facilities received good comments with the Congregational Church noted as outstanding for signage and a model of a professionally run facility. Kimballs will continue to clean the soft serve machine twice a week. There were no violations last summer as a result of the new procedures. Fern's was clean and well organized with the exception of supplies temporarily located on the basement floor. Great Brook and First Religious will be inspected later in the month.

81 Russell Street – Right of First Refusal under Ch. 61A. The Board will send a memo to the Selectmen stating that it does not see a public health purpose to justify the town exercising its right to purchase the property. DEP

contacted the Board to see if the Board will ask for specific conditions relative to the public water supply being proposed for the development. The Board agreed to review the Benfield and Coventry Woods conditions and notify DEP that recommendations will be forthcoming.

Fees for Private and Geothermal Wells – Galligan explained that the Well fees had not undergone an analysis as had the engineering fees. She and Fantasia did an analysis of the work involved in permitting these wells. Currently the fee for a private well is \$100 for the well and \$100 for the pump (\$200). Geothermal wells are \$100 per well since no pump is required. Local driller, Derek Skillings, thought this was too high for a geothermal system which can require a number of individual bore holes. Fantasia checked with Pump and Well Inspector, Ralph Metivier, and Board assistant Bobby Lyman to gauge the amount of time involved for each task. It was found that the installation of a private well takes more of Metivier's time because of the field work involved, but geothermal wells take more staff time because of the regulatory conditions. Metivier receives \$75 of every \$100 collected. This stipend has been in place for a number of years and no longer reflects an adequate wage. Galligan proposed using the Board's other inspectors (Phelps and Sweet) as a model for the rate. They receive \$45/hr. Using this rate and calculating the amount of time for each task the well inspector is not adequately compensated. Staff time is also being undercounted. Fees are paid into the 53E 1/2 account and wages can be covered from this account.

According to the spreadsheet prepared by Galligan, the estimated cost to the town for a private well is \$345.00; a geothermal well (up to 5) is \$301.00. Using an inspector's rate of \$45/hr the well inspector's compensation should be: private well \$293.00; geothermal wells (up to 5) \$180.00. Administrative costs returned to the 53E 1/2 1/2 account should be: private well \$52.50 and geothermal wells \$120.75. The Board was concerned about the jump in fees but agreed that the well inspector was being underpaid. The Finance Committee has made it clear that the Board should recover actual costs. Sarma suggested rounding up the numbers. Sarma was concerned that a single geothermal well would cost \$300 whereas five would cost the same. The Board was comfortable with the one to five range. Most systems have two or three wells. Galligan said the fees are not necessarily 1:1 but take in the whole picture.

It was moved (Galligan) and seconded (Sarma) to revise the private well and pump fee to \$345.00 from which the inspector will be compensated \$295 and the town \$50, and set a separate fee for geothermal wells (up to five per system) at \$300 from which the inspector will be compensated \$180.00 and the town \$120.00 effective 4/8/14. Motion passed 5-0-0.

Mass Dept of Public Health (MDH) Intern – The Board reviewed an application from David Estabrook for the position which will involve training the Board in interpreting statistical health data collected by the state, reviewing current data and assisting with educational materials. The Board agreed that the candidate was well qualified and the Board would look forward to working with him. Galligan and Margolies offered to act as Field Supervisors along with Fantasia. A meeting will be arranged.

It was moved (Margolies) and seconded (Sarma) to offer the MDPH internship position to David Estabrook for the summer of 2014. Motion passed 5-0-0.

53E 1/2 1/2 Account – Galligan mentioned that the Board has paid out approximately \$33,000 in engineering services. Expenditures from the account are capped at \$50K. This cap can be exceeded with permission of the Selectmen. Spring can be a busy time for engineering. The Board asked Fantasia to notify the Town Administrator that it may be necessary to spend more than \$50K from the account this fiscal year.

Reminder – Let's Talk Ticks – sponsored by the Middlesex Tick Task Force, will be held on April 30th at 7 pm in the Lincoln School Auditorium. The event is free to the public.

There was no further business. Meeting voted to adjourn at 9:05 pm.

Respectfully submitted,

Linda M. Fantasia, Recorder

Carlisle Board of Health Minutes

Meeting Date: April 8, 2014

Approved: April 22, 2014